

REMARKS

Claims 1-37 are pending in the present application. In the above amendments, claims 1, 11, 16, 29, 34, 35, 36 and 37 have been amended, and claims 12 and 30 have been canceled without prejudice.

In the Office Action mailed 06/02/2003, the Examiner rejected claims 1-4, 7, and 16-19, and 21 under 35 U.S.C. §102(b) as being anticipated by Ghosh (US 5,881,363); claims 1, 5, 6, 8, 11-16, 20, 22-26, and 29-33 under 35 U.S.C. §102(e) as being anticipated by Zhou et al. (11th IEEE Workshop on Statistical Signal Processing); and claims 11, 29, and 34-37 under 35 U.S.C. 102(e) as being anticipated by Saito (EP 1 063784). Further, the Examiner rejected claims 9, 10, 27, and 28 under 35 U.S.C. 103(a) as being unpatentable over Ghosh in view of Chung (US 4,995,057).

Applicant notes that many of the claims have been rejected to multiple times with different cited art, as opposed to being rejected to by the most relevant art as is standard practice by the USPTO. Please refer to MPEP §706.02 "prior art rejections should ordinarily be confined strictly to the best available art." Further, the Examiner has made §102 and §103 rejections to the same claims. Applicant also notes that the Zhou reference cannot be §102(e) art as this section of the Statute is limited to U.S. patents and patent applications as well as PCT applications designating the United States published in English.

Applicant amends independent claims 1, 11, 16, 29, 34, 35, 36, and 37 to add "non pre-coded first reference data on a common pilot signal used as a phase reference for the communication system" or its equivalent to these claims. The rest of the claims are dependent on these claims and thereby include all of the limitations of the independent claims. The added reference to a "common pilot signal" is not in any of the references cited by the examiner. Further, the "common pilot signal" is discussed in the specification and drawings as originally they were filed and does not constitute new matter. This places all claims in a position for allowance.

Applicant also cancels claims 12 and 30.

Applicant respectfully asserts that all claims are allowable over the cited art. Applicant requests withdrawal of the rejections and objections of the present Application for Patent.

Drawings

Applicant submits that the above amendments to the drawings do not make any substantive changes or introduce any new material but are simply the correction of typographical errors, which are consistent with the specification as originally submitted. Therefore, approval and entry of the above amendments are respectfully requested.

Specifically, Applicant amends FIGs. 2, 3, 4, and 9 to correct minor typographical errors. FIGs. 2, 3, and 9 have the argument of the function "A()" changed to the discrete complex variable "z" instead of the mistyped "2" in the original drawings. FIG. 9 also has the equalizer transfer functions corrected to be H1(z) and H2(z) consistent to the specification. FIG. 4 has the label added for communication system **400** consistent to paragraph [1028]. The name of element **412** in FIG. 4 was inadvertently omitted. This element has been labeled "controller." Paragraph [1035] in the specification as originally filed refers to "the controller **412**." Hence, this correction does not constitute new matter.

FIGs. 7 and 8 are amended to have storage attached to all processors to comply with examiner's objection that the drawings must show every feature of the invention specified in the claims. Applicant states that the addition is not new matter because digital processing and computation inherently involves some sort of storage, either separately or distributed among the processing elements, or both. Further paragraph [1059] in the original specification discusses various storages media that can be coupled to the processor.

Specification

Applicant provides herewith amendments to the specification. Multiple paragraphs in the original specification have been amended to correct minor editorial problems.

The amendments to the specification are made by presenting marked up replacement paragraphs which identify changes made relative to the immediate prior version.


Applicant believes these changes add no new matter to the application and are fully supported by the original disclosure.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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By: 
Rupit Patel, Reg. No. 53,441
(858) 651-7435

QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (858) 651-4125
Facsimile: (858) 658-2502

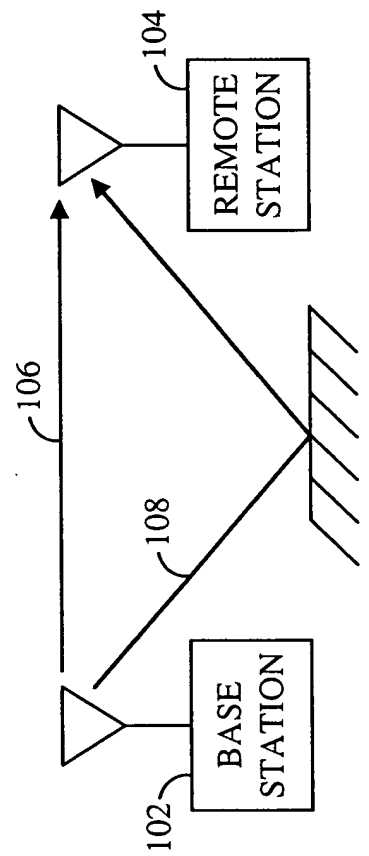
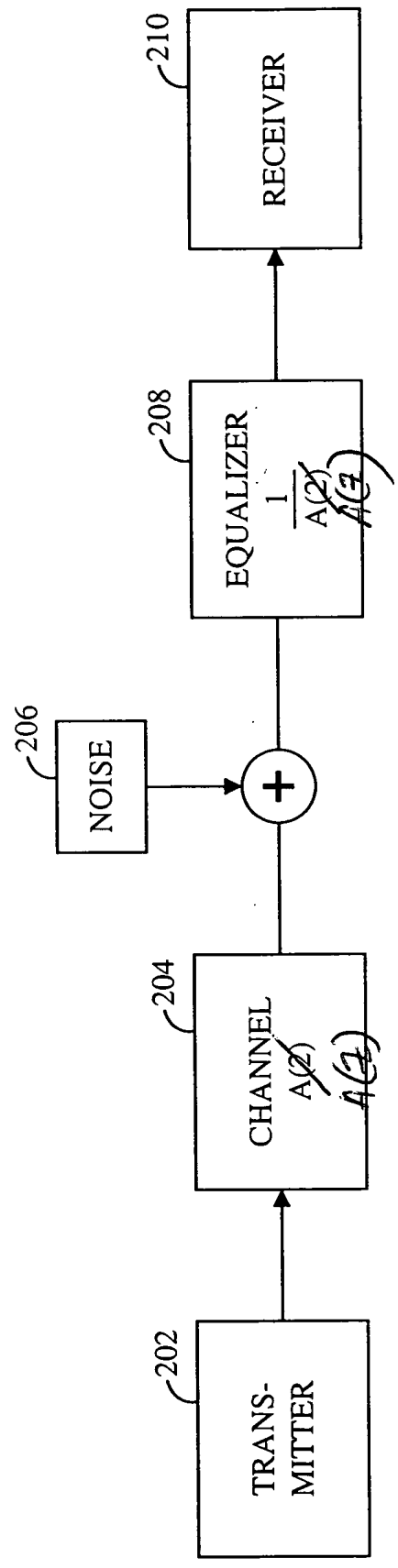
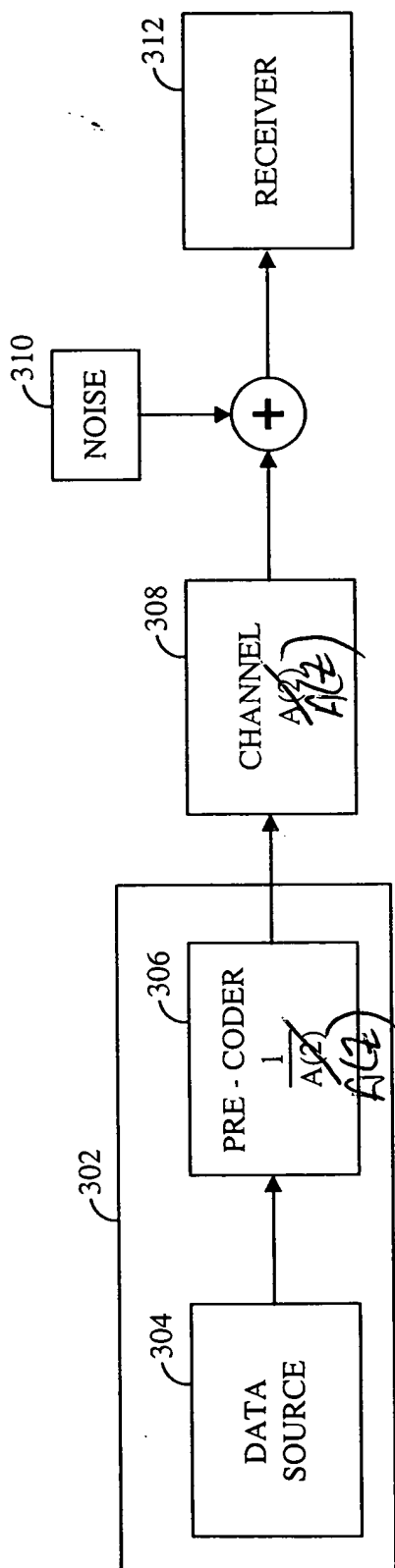


FIG. 1



(PRIOR ART)

FIG. 2



(PRIOR ART)

FIG. 3

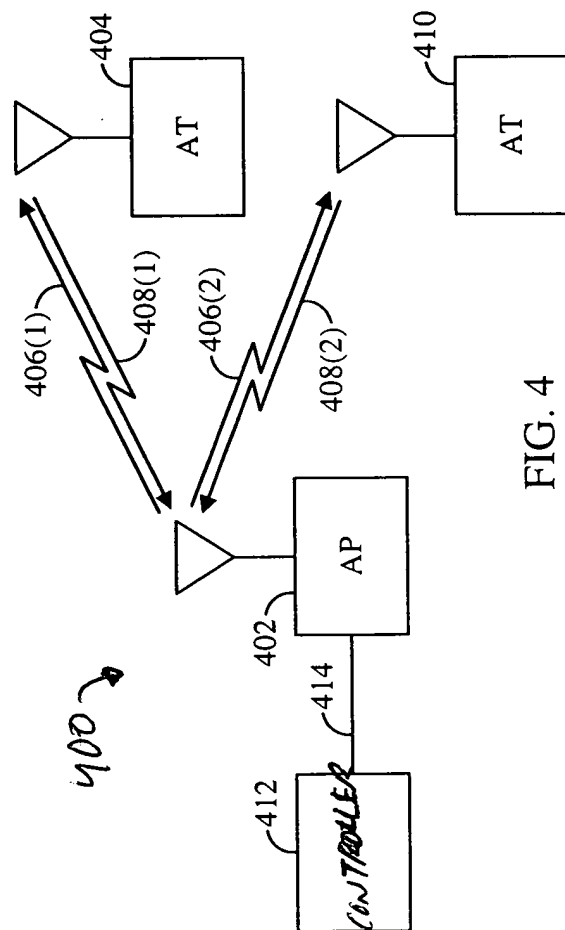


FIG. 4

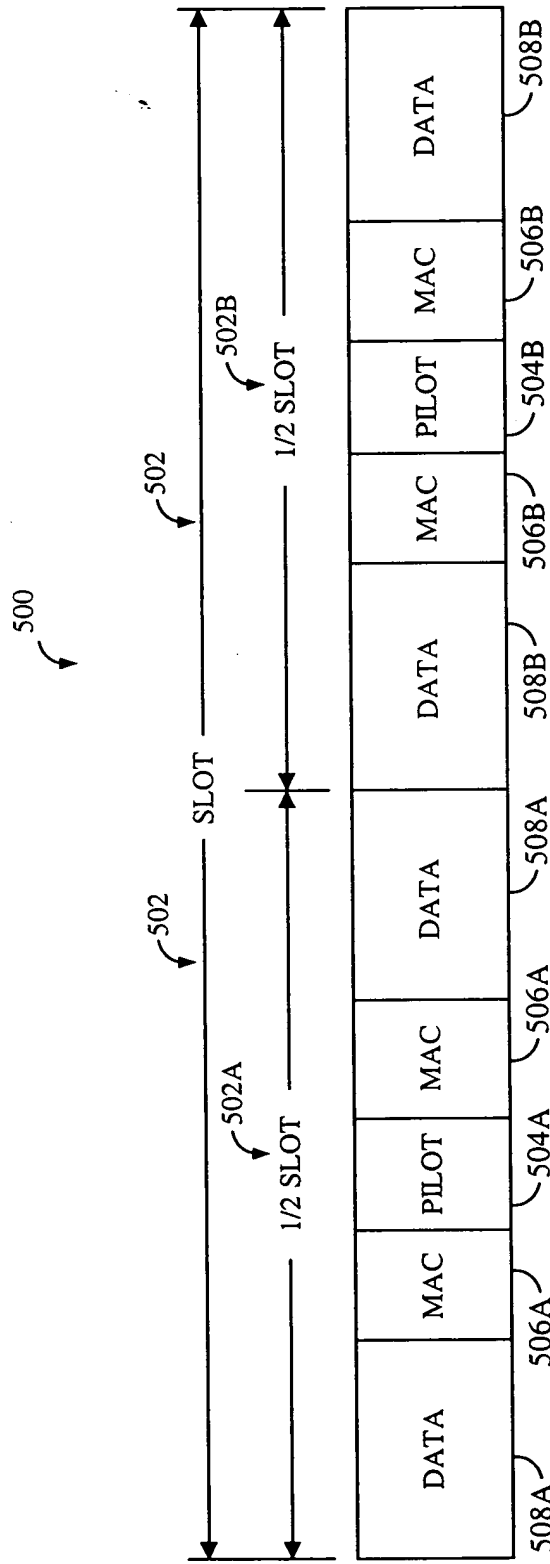


FIG. 5

600

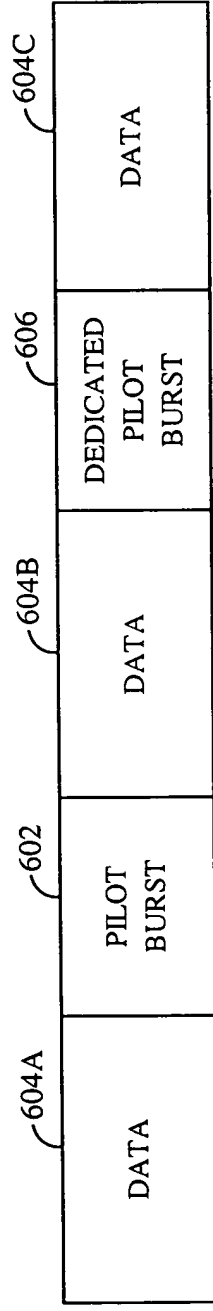


FIG. 6

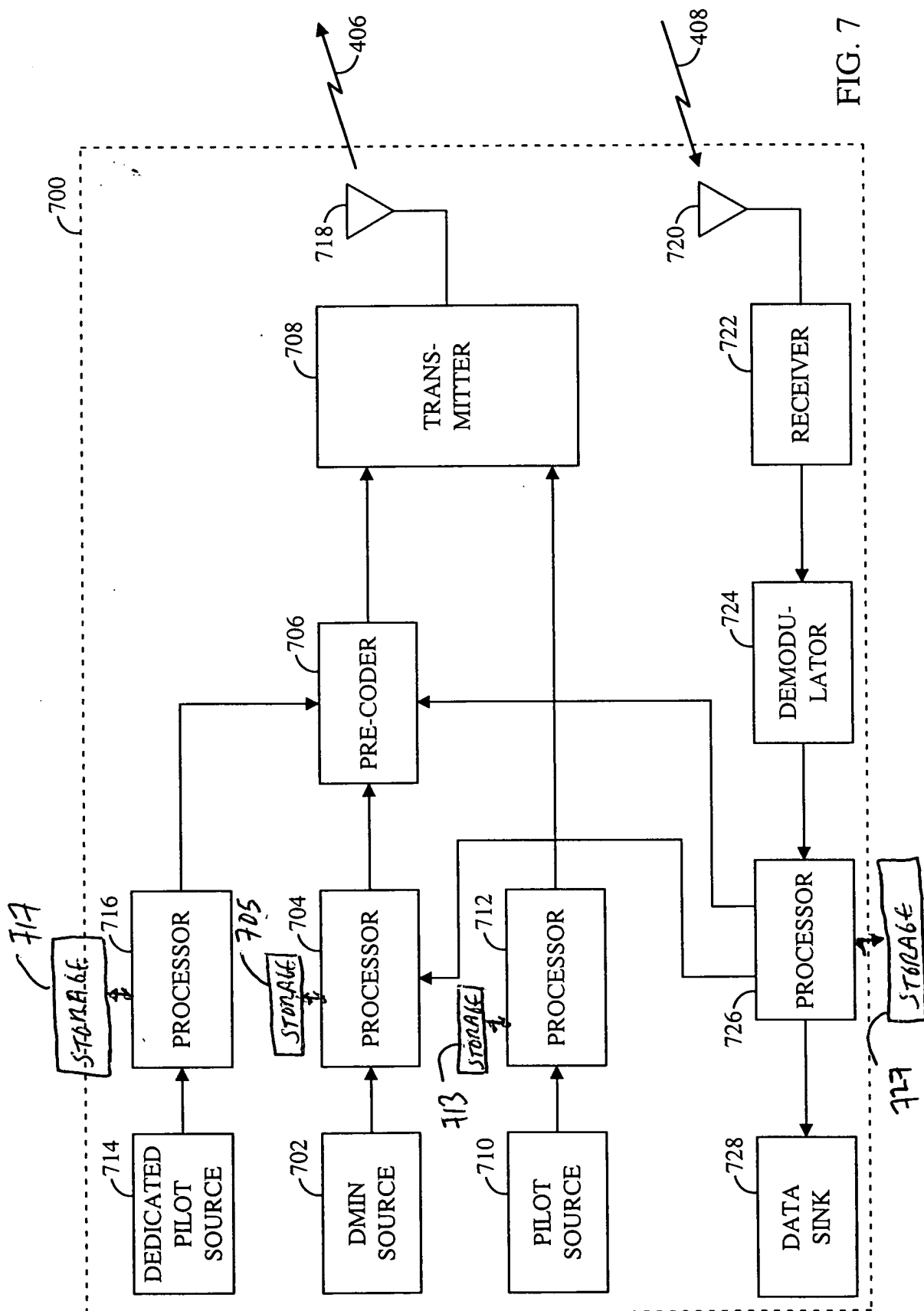


FIG. 7

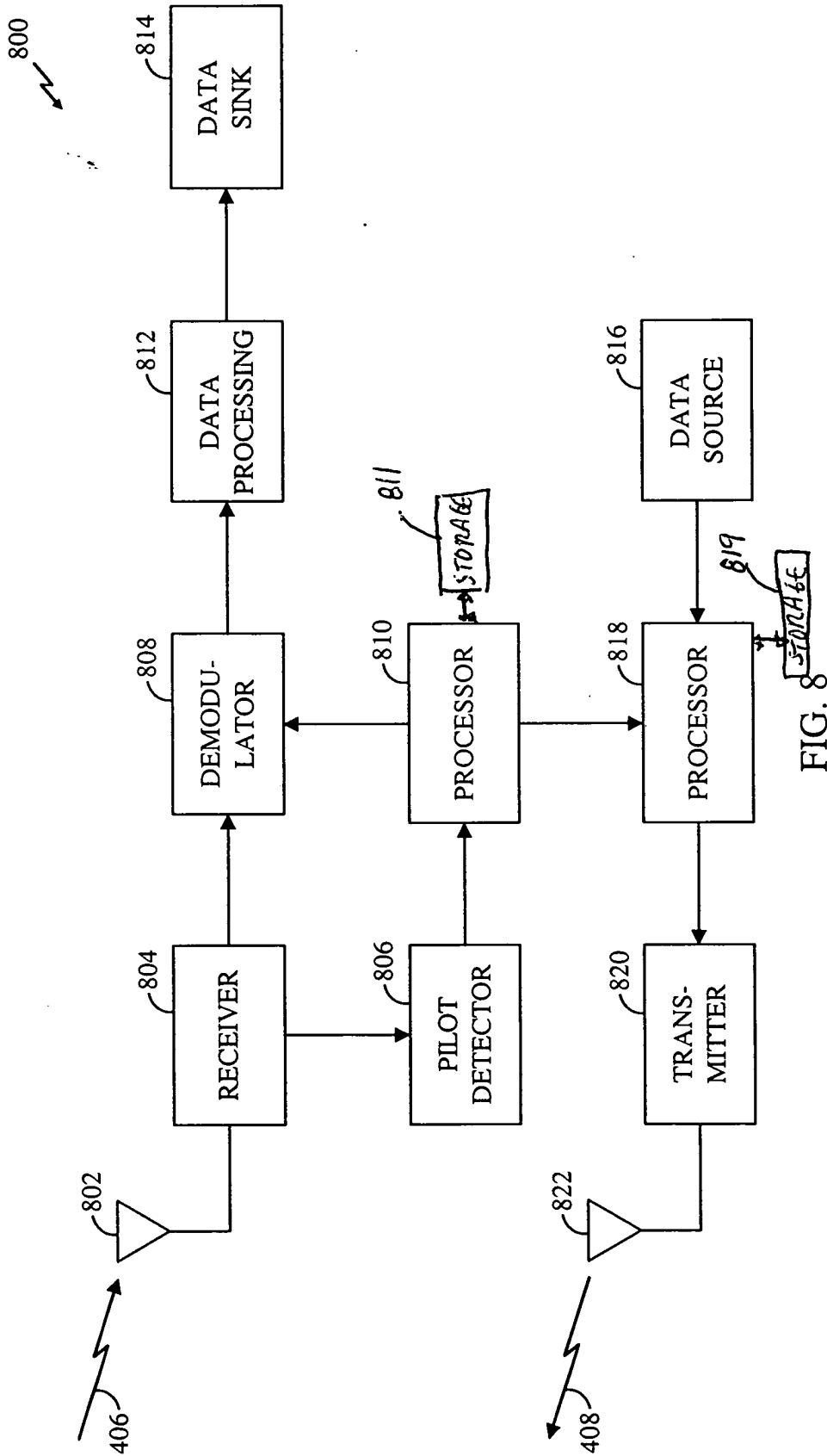


FIG. 8

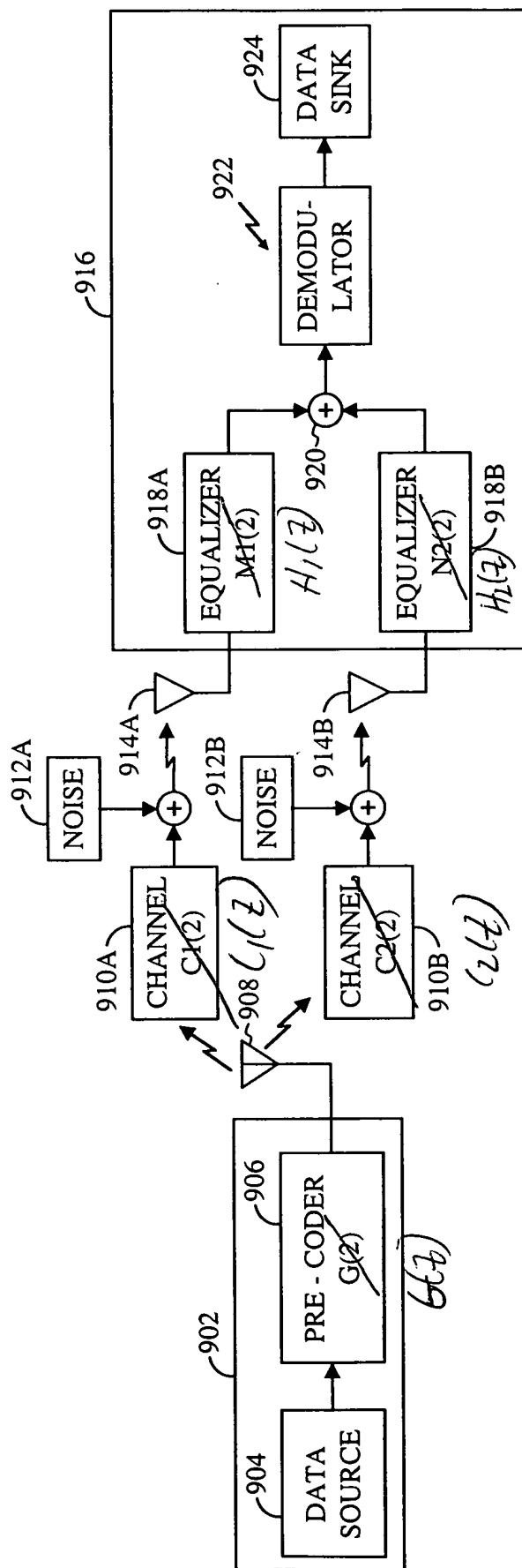


FIG. 9